

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO: 02-21023-CR-GOLD/Simonton

UNITED STATES OF AMERICA,

Plaintiff,

VS.

WILLIAM L. DAVIS,

Defendant.

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In re: Petition of JOSE MASOOD,

Third-Party Petitioner.

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**ORDER AFFIRMING MAGISTRATE JUDGE'S  
REPORT & RECOMMENDATION**

This matter came before this Court pursuant to Third-Party Petitioner Jose Masood's verified petition to amend order of forfeiture to dismiss any claim of forfeiture as to petitioner's property [DE 40]. A review of the docket sheet in this cause reveals the following:

- 1) On January 6, 2006, the Third-Party Petitioner's verified petition referenced herein was referred to Magistrate Judge Andrea M. Simonton for an ancillary hearing [DE 114].
- 2) On April 17, 2006 and April 18, 2006, an evidentiary ancillary hearing was held on the verified petition.
- 3) On April 4, 2007, Magistrate Judge Andrea M. Simonton issued a Report and Recommendation in which she recommends that the Third-Party Petitioner's verified petition to amend order of forfeiture to dismiss any claim of forfeiture as to petitioner's property [DE 40] be denied and that a final order of forfeiture be entered as to the 2002 34' Rinker Cabin Cruiser boat, Florida license number FL5846LU, Hull Identification Number RNK69707K102, Title Number 85050690.
- 4) The parties were permitted ten days from the date of service of the Report and Recommendation within which to serve and file written objections, if any, for consideration by this Court. A review of the docket sheet reveals that neither party has filed objections.

After a *de novo* review of all of the submissions of the parties and the record in this case, it is hereby

U.S.A. VS. DAVIS, CASE NO. 02-21023-CR-GOLD/Simonton

**ORDERED AND ADJUDGED** as follow:

- 1) This Court hereby adopts and affirms the Report and Recommendation of the Magistrate Judge, along with all of its findings of fact and conclusions of law.
- 2) Third-Party Petitioner Jose Masood's verified petition to amend order of forfeiture to dismiss any claim of forfeiture as to petitioner's property [DE 40] is **DENIED**.
- 3) The U.S. Attorney's Office shall submit a final order of forfeiture as to the 2002 34' Rinker Cabin Cruiser boat, Florida license number FL5846LU, Hull Identification Number RNK69707K102, Title Number 85050690, in Word-Perfect format and to the following e-mail address: [gold@flsd.uscourts.gov](mailto:gold@flsd.uscourts.gov).

**DONE AND ORDERED** at Miami, Florida, this 7 day of May, 2007.



UNITED STATES DISTRICT JUDGE  
ALAN S. GOLD

cc: Magistrate Judge Andrea M. Simonton

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